

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

DYLAN REED SINN,)	
)	
Plaintiff,)	
)	
vs.)	1:11-cv-1401-TWP-TAB
)	
OFFICER MOYE and OFFICER)	
CRAIG BARNETT,)	

ENTRY

The plaintiff's motion for leave to file amended complaint [Dkt. 35] is **denied** for two reasons. First, Rule 15(a)(2) of the Federal Rules of Civil Procedure provides that once an answer to a complaint has been filed (as in this case) "a party may amend its pleadings only with the opposing party's written consent or the court's leave." The rule also provides that "[t]he court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a)(2). "Although leave to amend a complaint should be freely granted when justice so requires, . . . the district court need not allow an amendment when there is undue delay, bad faith, dilatory motive, undue prejudice to the opposing party, or when the amendment would be futile." *Bethany Phamacal Co. v. QVC, Inc.*, 241 F.3d 854, 860-61 (7th Cir. 2001). The circumstances underlying the plaintiff's claims occurred on May 19, 2011, and the complaint was filed on October 19, 2011. Discovery is closed and the dispositive motion deadline has passed. The plaintiff's motion to amend filed on December 27, 2012, provides no

explanation or justification for the delay in seeking to amend the complaint to include additional defendants.

Second, the motion fails to comply with Local Rule 15-1. This rule requires a motion to amend to include a copy of the proposed amended pleading. "Amendments to a pleading must reproduce the entire pleading as amended." Local Rule 15-1.

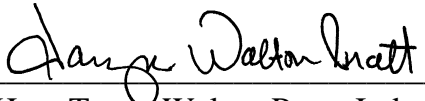
IT IS SO ORDERED.

Date: 02/26/2013

Distribution:

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Electronically Registered Counsel


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana